ance of strategic forces between the United States and the Soviet Union: cruise missiles will add a largely unknown factor to calculations and may confound efforts to put a lid on the nuclear arms race.

In our resolution, we are proposing that the President offer to the Soviet Union an immediate, mutual moratorium on the flight-testing of strategic-range cruise missiles, until an agreement covering them can be concluded. That may only be a matter of a few short weeks; but if the current round of negotiations does not proceed as promptly as we believe is necessary, then a mutual moratorium on flight-testing could become critical to the entire future of the SALT talks.

Press reports about the SALT talks indicate that considerable progress has been made in negotiating a treaty to implement the Vladivostok Agreement of November 1974. We believe that these negotiations should continue, leading to a treaty presented to the Senate for its advice and consent in the very near future. There has been give and take on both sides without decreasing our security—and this includes Soviet agreement to exclude from this treaty any limits on our forward based systems in Europe, and to accept the US proposal for verifying limits on MIRVs.

In our resolution, we endorse the agreements that have reportedly been reached; we support the resolution of remaining issues, including thhe cruise missile and the Soviet *Backfire* bomber; and we support an effort—already suggested by the administration—to seek a reduction in the number of nuclear delivery vehicles permitted each side under the Vladivostok Agreement. All these steps will strengthen our security—and the security of the world against nuclear war.

Furthermore, we support an agreement with the Soviet Union to limit the testing and deployment of air-launched cruise missiles to a range not exceeding 2500 kilometers, and their deployment only on heavy bombers—as reportedly agreed by the two governments.

We are convinced, however, that US security will best be enhanced by limiting the testing and deployment of strategic-range cruise missiles based on land and at sea to ranges not exceeding 600 kilometers—thereby effectively banning these weapons from the strategic arsenals of both superpowers. No convincing argument has been advanced for either weapon that would lead us to believe that keeping this option open can be as important for either us or the Soviet Union as the grains for arms control which would be achieved by banning them.

In a broader perspective, it is clear that the whole concept of modern cruise missiles will have important implications for force planning and strategy, both conventional and nuclear. Yet before either we or the Russians embark on a radically new course in weaponry, both governments owe it to their people—and to the cause of preventing instability, further misunderstandings, and greater difficulties in negotiating arms control in the future—to pause and examine the full import of this radical new technology.

Only when we in the United States have conducted the most careful analysis of cruise missiles and their implications should we proceed to rational decisions about the future of these weapons. But we will not have that choice once flight test programs are finished later this year: it may be too late to turn back. Several years ago, we ignored similar advice with regard to multiple warheads (MIRVs), and rushed forward with our test program, only to find that problems of verifying any arms control agreement affecting them were incredibly difficult to resolve. It has taken us six years to do so; and the verification problems associated with cruise missiles will be even more difficult to solve. This will be so even if the agreement on strategic-range missiles we propose today is accepted; but without that agreement, it may become impossible.

Finally, we are concerned in our resolution to relate today's arms control efforts to the future. Even securing the Vladivostok Agreement, and resolving issues of cruise missiles and the *Backfire* bomber, will not mean an end to the nuclear arms race. It will still be important to ban all nuclear testing; to reduce the number of nuclear weapons permitted under the Vladivostok Agreement; and to gain real limits on major qualitative improvements in the nuclear forces of both sides—improvements that could raise new problems for strategic arms control. Accordingly, we are urging that further efforts at SALT continue, immediately following the ratification of the agreements we are proposing today.

In a spirit of bipartisan cooperation, we believe that this approach will increase the security of the United States, and be of benefit to all mankind.

Mr. JAVITS. Mr. President, I believe that the greatest significance of the resolution which has just been submitted by Senator KENNEDY, with Senator HUMPHREY and myself as cosponsors, is in its timing and its political symbolism. Beyond the substantive provisions of the resolution we have introduced there is a message. That message stated most simply is that we, as moderates in the U.S. Senate, all of whom have had longstanding interests in arms control questions, are supporting the most earnest and determined efforts to achieve a SALT II agreement this year.

Spokesmen for the ideological right wing have been very articulate in recent months trying to persuade our Nation that SALT II is some kind of sell-out to communism. There have even been innuendoes that President Ford and Secretary Kissinger are inclined to be soft on our Nation's security for purposes of political expediency. The people who are saying or implying this kind of invidious argument are those who have generally opposed arms control agreements who wish us to pursue the illusion of regaining "superiority" in strategic weaponry—whatever the cost in destabilization of the strategic balance and in taxpayer treasure.

The President and Secretary of State who know, as we do, that a SALT II agreement will enhance our national security and that is why they are making a major effort to conclude an agreement this year, before a major opportunity is lost and another upward spiral of the arms race becomes inevitable.

AMENDMENTS SUBMITTED FOR PRINTING

ADDITIONAL DISTRICT COURT JUDGES—S. 287

AMENDMENT NO. 1413

(Ordered to be printed and to lie on the table.)

Mr. MORGAN (for himself and Mr. HELMS) submitted an amendment intended to be proposed by them jointly to the bill (S. 287) to provide for the appointment of additional district court judges, and for other purposes.

FEDERAL EMPLOYEES' POLITICAL ACTIVITIES ACT—H.R. 8617

AMENDMENT NO. 1414

(Ordered to be printed and to lie on the table.)

Mr. STONE. Mr. President, the Federal Employees' Political Activities Act, H.R. 8617, seeks to give Federal employees the fullest possible right to participate in the American political process. It attempts to strike a fairer balance between the individual rights of nearly 3 million citizens in Government service and the need of the Federal Government to have impartial, nonpartisan administration of its programs.

While this bill goes a long way toward achieving its stated goals, I believe that there is one serious flaw in it which needs to be remedied. That flaw is the lack of any mandatory penalty for the use of official authority to affect the result of an election or for the intimidation of coworkers to get them involved in partisan political activities. As the bill now reads, a Board on Political Activities, comprised of Presidential appointees, has complete discretion as to penalties and need not levy any penalty at all.

There are certain prohibitions in the bill, such as those banning political activity while on duty, that could be violated inadvertently. For violations of these prohibitions, which make up sections 7324 and 7325 of the bill, the Board should have discretion to weigh the seriousness and the willfulness of the violation before deciding on a penalty.

However, section 7323 prohibits activities which by their very nature are willful. Intimidating employees to engage in partisan political activity, using official authority to affect the outcome of an election—these are activities which if allowed to exist would undermine the integrity and impartiality of all Government programs. These are activities which must be dealt with harshly. If we do not demand that persons found guilty of these actions leave their Federal employment for at least a minimum amount of time, then we invite a return to the types of misdeeds that originally led to the adoption of the Hatch Act.

Everyone who supports this bill has emphasized the safeguards it contains against coercion of employees by superiors and coworkers who seek to have them participate in partisan political activity. Unless employees know that those who would seek to pressure them face certain penalties, the safeguards are meaningless.

Mr. President, for these reasons I am submitting an amendment to H.R. 8617 which would require the Board to suspend for at least 90 days or permanently remove any employee found guilty of violating section 7323. The Board retains its discretion to choose from a wider ranges of sanctions when it finds a violation of the other prohibitions contained in the bill.

Mr. President, I ask unanimous consent that this amendment be printed in the RECORD.

There being no objection, the amend-

Whereas substantial progress has been reported on a draft treaty (a) implementing the Vladivostok Agreement, (b) dealing with other matters, including strategic-range cruise missiles and the Soviet Backfire bomber, and (c) raising the prospect of reducing the limits agreed at Vladivostok for each side on numbers of strategic delivery vehicles;

Whereas a failure to agree on limitations for strategic range cruise missiles could create problems that would severely undermine future efforts to achieve strategic arms control; and

Whereas test programs for strategic-range cruise missiles—a weapons system in which the United States has a significant technological lead—will complicate problems of verifying distinctions between these missiles and those not applicable to a strategic nuclear role: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the prompt conclusion of negotiations to implement the Vladivostok Agreement, and its submission to the Senate as a treaty for its advice and consent to ratification, are in the best interests of the United States;

(2) the President should, to this end, continue negotiations with the Union of Soviet Socialist Republics on a timely basis, for the purpose of (A) resolving remaining issues within the Vladivostok framework; and (B) seeking an agreement to significantly reduce the number of strategic delivery vehicles permitted each country under the Vladivostok aide-memoire;

(3) the President should seek agreement with the Union of Soviet Socialist Republics to ban (A) flight testing and deployment by either country of air-launched cruise missiles having a range in excess of 2500 kilometers; (B) the construction of such missiles other than for deployment on heavy bombers permitted by the treaty urged in clause (1); and (C) the flight testing or deployment by either country of land-launched and sea-launched cruise missiles having ranges in excess of 600 kilometers;

(4) the President should offer to the Soviet Union an immediate, mutual moratorium on flight testing of all strategic-range cruise missiles, to remain in effect until conclusion of the agreement urged in clause (3); and

(5) the President should, immediately following Senate advice and consent to ratification of the agreements urged in clauses (1) and (2), begin negotiations with the Soviet Union for the purpose of securing objectives which include the following: (A) a comprehensive nuclear test ban; (B) further reductions in the numerical limits contained in the Vladivostok Agreement; and (C) agreed restraints on testing and deployment of major qualitative improvements in the strategic nuclear forces on both sides.

SEC. 2. The Secretary of the Senate shall transmit copies of this Resolution to the President, the Secretaries of State and Defense, and the Director of the Arms Control and Disarmament Agency.

Mr. KENNEDY. Mr. President, today I wish to join with my distinguished colleagues from Minnesota (Mr. HUMPHREY) and New York (Mr. JAVITS) in submitting a resolution regarding the strategic arms limitation talks and cruise missiles.

No issue is more important for the future of the United States than halting the nuclear arms race. And no time is better for taking important steps in that direction—in the interests of our national security—than right now.

Tomorrow morning, the Air Force will begin flight testing a revolutionary new weapon—the cruise missile. And the Navy began its tests last month. Yet when these test programs are finished later this year, cruise missiles will raise the most profound questions about the entire future of strategic arms control. And American security will be reduced.

We are seeking Senate support for a constructive approach to arms control, that will reflect positive cooperation with the administration, by Senators on both sides of the aisle.

Next year may be too late for an arms control agreement. The Vladivostok limits of 16 months ago—which are not yet in the form of a treaty—may be a dead letter by then. And in January there will be less than 10 months left to reach a new agreement on offensive nuclear weapons, before the interim accord of 1972 expires.

Whatever other disagreements we have with the Soviet Union—whatever pressures there are in election-year politics—we must not lose this chance to impose some sense and sanity on the nuclear arms race.

Let me mention one part of the resolution.

Because of the nature of cruise missiles, it will be impossible to tell by looking at them whether a particular missile can travel a few hundred miles or a few thousand; whether it has a conventional or a nuclear warhead; whether it is a tactical weapon or a strategic weapon that can destroy missile silos and cities.

When flight testing is finished and deployment begins, verification of cruise missiles may become impossible; and it will be increasingly difficult to make firm judgments about the number of nuclear weapons on each side.

This is why it is imperative that we reach agreement on cruise missiles this year. And that is why it is imperative that we seek a mutual moratorium on testing with the Soviet Union, until that agreement is reached.

We have firm precedent for that action, in the moratorium on nuclear testing that led to the Limited Nuclear Test-Ban Treaty of 1963.

And we risk nothing for our security. The rest of our arsenal is secure; and we are several years ahead of the Soviet Union in development of long-range cruise missiles.

Before we step over another nuclear threshold—with no turning back—let us pause; let us see whether agreement on cruise missiles is possible; let us examine this weapons system in all its aspects, before going forward.

Because if we don't, the cruise missile could destroy the SALT talks, themselves; and all mankind will be the losers.

Mr. President, I ask unanimous consent that a joint statement by Senators HUMPHREY, JAVITS and myself be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

JOINT STATEMENT BY SENATORS KENNEDY, HUMPHREY, AND JAVITS INTRODUCING A SENSE OF THE SENATE RESOLUTION ON SALT AND CRUISE MISSILES

We are introducing a resolution in the Senate, today, relating to the current round of Strategic Arms Limitation Talks, and strategic-range cruise missiles.

For many years, it has been clear that the most important demand on U.S. foreign policy has been the need to bring the strategic nuclear arms race under control. This objective has been shared by every U.S. President since the nuclear era began; while successive Congresses and the American People have overwhelmingly supported efforts to secure the United States and the world from the holocaust of a nuclear war. We have all recognized that, whatever other differences we continue to have with the Soviet Union, neither we nor they can afford to abstain from continued negotiations, continued progress, to end the spectre of nuclear war once and for all.

In recent years, some real progress towards controlling nuclear arms has been made, to be benefit of US security and the future of mankind: There has been the Limited Nuclear Test-Ban Treaty; the Non-Proliferation Treaty; the ABM Treaty; and the Interim Agreement on Offensive Missiles. Clearly, however, more needs to be done, in the interests not only of preventing nuclear war between the superpowers, but also of helping to prevent the spread of nuclear weapons around the world.

Because gaining control over the strategic arms race is so vital to us, there must be the most careful consideration of a wide range of military and political factors; the issue must be above partisan politics; and real arms control can succeed only with cooperation and support from both Republicans and Democrats, and from the Administration, the Congress, and the American People.

We believe that the approach to arms control outlined in our resolution meets this test—as well as the test of being truly in the interests of the United States. An agreement such as the one we propose will strengthen our security, and help to lift from mankind the threat of nuclear war. It will provide the basis for continuing efforts to bring a final end to the nuclear arms race.

At the same time, we seek to demonstrate the willingness of Congress to work positively with the Administration on an issue of vital national importance. Our proposals do not limit Administration freedom of action in diplomacy at SALT; rather they strengthen it—building on what has already been decided, and seeking to indicate broad support in the Senate and the Nation for positive, timely steps forward in strategic arms control.

Our nation must never rush into any arms control agreement simply to reach agreement; but we must also never pass up real opportunities to reach agreements that are truly in our national interest, that will reduce the dangers of nuclear war, that will increase our real security.

This is such a time to act in our own interest. By next January, there is grave risk that the Vladivostok Agreement—setting real and precise limits both on launchers and multiple warheads (MIRVs)—will no longer be negotiable; and there will be little time before the expiration of the 1972 interim agreement in October 1977. The pressure of time, therefore, will get worse with each month's delay.

In addition, we are now faced with a new development in nuclear weaponry, which if unchecked could change many of the assumptions on which the SALT talks are based. This is the modern strategic-range cruise missile, which the Navy began testing last month, and the Air Force will begin testing tomorrow. When those test programs are completed later this year, it will be difficult—if not impossible—to vertify whether any deployed missiles are of short- or long-range; whether they carry conventional or nuclear warheads; or whether they are designed to attack tactical or strategic targets. As a result, it will then be far more difficult to make judgments about the relative bal-

ment was ordered to be printed in the RECORD, as follows:

AMENDMENT NO. 1414

On page 19, beginning on line 18, strike out all through page 20, line 7, and insert in lieu thereof the following:

"§ 7329. Penalties.

"(a) Subject to and in accordance with section 7328 of this title, an employee who is found to have violated any provision of:

"(1) section 7323 of this title shall, upon a final order of the Board be removed from such employee's position for a period not less than 90 days, or shall be permanently removed in which event that employee may not thereafter hold and position (other than an elected position) as an employee as defined in section 7322(1) of this title);

"(2) section 7324 or 7325 of this title shall, upon a final order of the Board, be—

"(A) removed from such employee's position, in which event that employee may not thereafter hold any position (other than an elected position) as an employee (as defined in section 7322(1) of this title) for such period as the Board may prescribe;

"(B) suspended without pay from such employee's position for such period as the Board may prescribe; or

"(C) disciplined in such other manner as the Board shall deem appropriate.

AMENDMENT NO. 1415

(Ordered to be printed and to lie on the table.)

Mr. BENTSEN submitted an amendment intended to be proposed by him to the bill (H.R. 8617) to restore to Federal civilian and Postal Service employees their rights to participate voluntarily, as private citizens, in the political processes of the Nation, to protect such employees from improper political solicitations, and for other purposes.

AMENDMENT NO. 1416

(Ordered to be printed and to lie on the table.)

Mr. DOLE (for himself and Mr. BENTSEN) submitted an amendment intended to be proposed by them jointly to the bill (H.R. 8617), supra.

Mr. DOLE. Mr. President, the Senate will soon take under consideration H.R. 8617, a measure designed to significantly alter the Hatch Act regulations which currently govern and restrict Federal employee involvement in political activity. In anticipation of that debate, I am today submitting, along with Senator BENTSEN, an amendment for consideration during discussion of H.R. 8617. This amendment would, we believe, measurably improve upon the legislation, as it was reported from the Senate Post Office and Civil Service Committee last month.

PURPOSE OF AMENDMENT

This amendment prohibits employees of the Justice Department, the Internal Revenue Service, and the Central Intelligence Agency from giving a political contribution to another employee, a Member of Congress, or an officer of a uniformed service. It also prohibits the employee from requesting or receiving a political contribution from any of these persons.

This amendment prohibits employees of Justice, the IRS, and the CIA from taking an active part in political management or political campaigns, except where nonpartisan candidates or questions are involved, and except where "unusual" circumstances exist. That is, a majority of local voters are Federal employees.

These prohibitions on political activities of employees of the Justice Department, IRS, and the CIA are in addition to those otherwise imposed upon them under the provisions of H.R. 8617.

AMENDMENT OF THE SOCIAL SECURITY ACT—S. 2157

AMENDMENT NO. 1417

(Ordered to be printed and referred to the Committee on Finance.)

Mr. BROCK submitted an amendment intended to be proposed to the bill (S. 2157) to amend title XX of the Social Security Act to provide that no State shall be required to administer individual means tests for provision of education, nutrition, transportation, recreation, socialization, or associated services provided thereunder to groups of low-income individuals aged 60 or older.

NOTICE OF HEARINGS

Mr. PHILIP A. HART. Mr. President, I wish to announce the final 2 days of hearings to be held by the Subcommittee on Antitrust and Monopoly on S. 1284, the Hart-Scott Antitrust Improvements Act. Hearings will be held March 2 at 10 a.m. and March 3 at 9:30 a.m., both in room 2228 Dirksen Senate Office Building. If further information is required, please contact Howard E. O'Leary, Jr., staff director, Antitrust and Monopoly Subcommittee, 224–5573.

NOTICE OF HEARINGS

Mr. MORGAN. Mr. President, the Small Business Subcommittee of the Committee on Banking, Housing and Urban Affairs will hold oversight hearings on some of the programs of the Small Business Administration on March 8 and 9, 1976, at 10 a.m., room 5302, Dirksen Senate office building.

The subcommittee is particularly interested in hearing testimony on the Small Business Administration's set-aside, lease guaranty, and surety bond programs.

For additional information, please contact the subcommittee staff.

NOTICE OF HEARINGS

Mr. HASKELL. Mr. President, the Subcommittee on the Environment and Land Resources has scheduled a hearing for Thursday, March 11, 1976. The purpose of the hearing is to receive testimony on several wildlife refuge wilderness bills currently pending before the Interior and Insular Affairs Committee. For the benefit of my colleagues, I would like to place in the record at this point a list of the measures to be considered at the hearing and a brief description of each bill.

S. 1026—Chassahowitzka Wilderness, approximately 16,900 acres, Chassahowitzka National Wildlife Refuge, Fla.;

S. 1027—Crab Orchard, approximately 4,050 acres, Crab Orchard National Wildlife Refuge, Ill.;

S. 1035—Mingo Wilderness, approximately 1,705 acres, Mingo National Wildlife Refuge, Mo.;

S. 1037—Oregon Island Wilderness, approximately 346 acres (108 additional acres "potential" wilderness), Oregon Island National Wildlife Refuge, Oreg.;

S. 1038—Red Rock Lakes Wilderness, approximately 32,350 acres, Red Rock Lakes National Wildlife Refuge, Mont.;

S. 1039—San Juan Islands Wilderness, approximately 168 acres, San Juan National Wildlife Refuge and Matia Island National Wildlife Refuge, Wash.;

S. 1041—Simeonof Wilderness, approximately 25,140 acres, Simeonof National Wildlife Refuge, Alaska;

S. 1042—Tamarac Wilderness, approximately 2,138 acres, Tamarac National Wildlife Refuge, Minn.;

S. 1046—Agassiz Wilderness, approximately 4,000 acres, Agassiz National Wildlife Refuge, Minn.;

S. 1051—Big Lake Wilderness, approximately 1,818 acres, Big Lake National Wildlife Refuge, Ark.;

S. 1054—J. N. "Ding" Darling Wilderness, approximately 2,735 acres, J. N. "Ding" Darling National Wildlife Refuge, Fla.;

S. 1055—Fort Niobrara Wilderness, approximately 4,635 acres, Fort Niobrara National Wildlife Refuge, Nebr.;

S. 1057—Lacassine Wilderness, approximately 2,854 acres, Lacassine National Wildlife Refuge, La.;

S. 1058—Lake Woodruff Wilderness, approximately 1,106 acres, Lake Woodruff National Wildlife Refuge, Fla.;

S. 1060—Medicine Lake Wilderness, approximatley 11,366 acres, Medicine Lake National Wildlife Refuge, Mont.;

S. 1066—Swanquarter Wilderness, approximately 9,000 acres, Swanquarter National Wildlife Refuge, N.C.; and

S. 1067—UL Bend Wilderness, approximately 19,693 acres, UL Bend National Wildlife Refuge, Mont.

The hearing will be held in room 3110 of the Dirksen Senate Office Building beginning at 10 a.m. For further information regarding the hearing you may wish to contact Mr. Thomas Williams, of the subcommittee staff on extension 4–9894.

NOTICE OF HEARING

Mr. MATHIAS. Mr. President, I wish to announce that the Committee on the District of Columbia has scheduled hearings on matters dealing wtih metropolitan problems in the Washington Capital Region. The hearings will commence at 9 a.m. in room 6226, Dirksen Senate Office Building today and continue on February 26; March 3 and 4.

These hearings are part of the committee's long range examination of the fiscal problems confronting the District of Columbia which were initiated earlier by Chairman THOMAS F. EAGLETON.

ADDITIONAL STATEMENTS

DEATH OF JUDGE CHARLES F. McLAUGHLIN

Mr. CURTIS. Mr. President, it is with a note of sadness that I call attention to

the fact that former Representative Charles McLaughlin of the State of Nebraska died here in the Nation's Capital on February 15, 1976.

It was my privilege to serve with Representative McLaughlin in the House of Representatives. He was an outstanding and dedicated patriot. He was always interested in those fundamental issues which mean so much to the preservation of our country. He was a kindly man of high character and he was devoted to his family.

Congressman McLaughlin, after leaving the House of Representatives, served in several capacities and rendered outstanding service to our Government. He was later appointed to the U.S. District Court here in Washington, D.C. Judge McLaughlin served well and with distinction and continued to serve into his sunset years. He was 88 when he died.

Mr. President, I ask unanimous consent that articles concerning the life and work of Judge McLaughlin taken from the Washington Star, the Washington Post, and the Omaha World-Herald, be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 6, 1976]

CHARLES MCLAUGHLIN DIES, FORMER JUDGE, LEGISLATOR

Charles F. McLaughlin, 88, a retired judge of the U.S. District Court here and a former Democratic congressman from Nebraska, died yesterday at Sibley Memorial Hospital.

The judge, a native of Nebraska, served as a captain of artillery with the Army in France during World War I. He took his seat on the federal bench here in November, 1949, after being appointed by President Truman.

He took the status of active senior judge in December, 1965, after his request to do so was accepted by President Johnson, who praised his "distinguished service." He continued to hear cases as a senior judge until his retirement in June, 1974.

During his judicial tenure, Judge McLaughlin presided over a number of noted cases, including the trial of playwright Arthur Miller. Miller was charged with contempt of Congress for refusing to answer questions about a Communist writers' meeting he attended in 1947.

Judge McLaughlin, who heard the case without a jury, found Miller guilty of two counts for refusing to answer two questions.

The judge later reversed conviction on one count on the basis of a Supreme Court ruling. The U.S. Court of Appeals later reversed the conviction on the other count, and acquitted Miller. The Court asserted that the House Un-American Activities Committee did not direct Miller to answer the questions on which the contempt charges were based.

In another case, which was said at the time to be without precedent, Judge McLaughlin upheld in 1954 the right of an employer to fire workers who stand on the Fifth Amendment and refuse to answer questions regarding Communist affiliations.

The ruling came on a complaint brought by the United Electrical Workers Union against the General Electric Co.

Judge McLaughlin presided in 1962 in the first case under a new law that permitted a trial judge in certain situations to decide on the penalty—death or life imprisonment—for first-degree murder convictions. He handed down a penalty of life imprisonment.

In a speech in 1960 on sentencing policy, he called on his colleagues to impose sentences "humbly, patiently and humanely," reminding them that "we are not ordained from on high to deal out vengeance or to pronounce our sentences in anger or wrath . . ."

Born in Lincoln, the son of an Irish immigrant, Judge McLaughlin attended the University of Nebraska and earned a law degree from Columbia University before setting up a practice in Omaha.

Without previous political experience, except as a delegate to the state constitutional convention, he ran for Congress in 1934. After being defeated for a fifth term, he was appointed to the American-Mexican Claims Commission and the Indian Claims Commission.

Survivors include a son, Edward Bruce McLaughlin; a daughter, Mrs. Edmund Wellington, Jr., and three grandchildren. The judge lived at 2101 Connecticut Ave., NW.

[From the Washington Star, Feb. 6, 1976]

CHARLES F. MCLAUGHLIN, 88, EX-NEBRASKA CONGRESSMAN

Charles F. McLaughlin, 88, a former Democratic congressman from Nebraska and a retired judge of the U.S. District Court here, died yesterday at Sibley Memorial Hospital. He lived on Connecticut Avenue NW.

McLaughlin was chief of the Indian Claims Commission when he was appointed to the U.S. District Court by President Truman in 1949. He served on the court until retiring in 1965, but continued to hear cases part-time as a senior judge until 1974.

A native of Lincoln, Neb., and a graduate of the University of Nebraska and of Columbia University's law school, McLaughlin served in the House of Representatives from 1935 to 1943. He was defeated in his bid for a fifth term.

After his congressional service, McLaughlin was on the American-Mexican Claims Commission.

Major cases which he presided over included the trial of playwright Arthur Miller on charges of contempt of Congress; the right of employers to fire employes who refuse to answer questions by congressional committees about communism, espionage and sabotage, and the constitutional rights retained by a criminally-accused U.S. citizen who lives abroad.

During World War I he was an artillery captain in the 91st Infantry.

His wife, the former Margaret Bruce, died in 1970. He leaves a son, Edward B., of Coral Gables, Fla., and a daughter, Mary Elizabeth Wellington of Springhill, Md.

Mass will be said at 9:30 a.m. Monday at St. Thomas the Apostle Catholic Church, 2665 Woodley Road NW., with burial in Gate of Heaven Cemetery.

[From the Omaha World-Herald, Feb. 7, 1976]

CHARLES MCLAUGHLIN DIES; WAS CONGRESSMAN, JUDGE

WASHINGTON.—Retired U.S. District Court Judge Charles F. McLaughlin, 88, a native of Lincoln who practiced law in Omaha and served four terms in the House from Nebraska, died at Sibley Memorial Hospital in Washington Thursday.

He has been hospitalized following a fall in which he broke his hip. His family said cardiac arrest was the cause of death.

McLaughlin served on the federal bench in Washington from December 1949, following his appointment by President Truman, until he retired in June 1974.

The son of an Irish immigrant, he attended the University of Nebraska, then moved to Omaha after obtaining his law degree from Columbia University.

He was elected to the House as a Democrat in 1934 from Nebraska's old 2nd district at a time when the state had five House members.

Defeated when he sought a fifth term, McLaughlin was appointed to the American-Mexican Claims Commission and later the Indian Claims Commission before receiving his judicial appointment.

He urged his colleagues on the bench in a 1960 speech to impose sentences "humbly, patiently and humanely," telling them that "we are not ordained from on high to deal out vengeance or to pronounce our sentences in anger or wrath . . ."

In 1954, in a case which was said then to be without precedent, he upheld the right of an employer to fire workers who stood on the 5th Amendment and refused to answer questions about Communist affiliations.

His survivors include a son, Edward Bruce McLaughlin of Coral Gables, Fla., a daughter, Mrs. Edmund Wellington, Jr. of Washington and a sister-in-law, Elizabeth Bruce of Omaha.

Funeral services will be Monday at St. Thomas Apostle Church in Washington with burial at the Gate of Heaven cemetery in Maryland.

THE AMENDMENT OF THE HATCH ACT

Mr. McGEE. Mr. President, there is now an order for the consideration of H.R. 8617, the bill to amend the Hatch Act, which was reported by the Committee on Post Office and Civil Service by a 7-to-2 vote in December.

Also pending are a number of proposed amendments to the bill, including one which would exclude certain classes of employees from its provisions, maintaining for them the proscriptions of the present Hatch Act. Among these classes are employees of the Federal Bureau of Investigation, the Internal Revenue Service and the U.S. Postal Service. Why the Postal Service if the aim is to restrict the activities of Federal employees with access to private or confidential information, I cannot fathom.

With regard to the proposed exclusion of IRS employees, I want to call to the attention of the Senate a letter received from Mr. Vincent L. Connery, national president of the National Treasury Employees Union who objects that there is no logical reason why employees of the Internal Revenue Service should be treated this way, as second-class citizens, especially since it is his view, which I share, that employees of the IRS are among the most dedicated, ethical and conscientious citizens of this Nation. Further, Mr. Connery points out that the Internal Revenue Code provides for imprisonment of 1 year, a fine of $1,000, and immediate dismissal for any employee who violates the confidentiality of any taxpayer's return.

That is a pretty strong deterrent to any abuse of confidentiality.

Mr. President, I ask unanimous consent that the letter to me from Mr. Connery, dated February 19, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL TREASURY EMPLOYEES UNION,
Washington, D.C., February 19, 1976.

Hon. GALE W. MCGEE,
Chairman, Senate Post Office and Civil Service Committee, Russell Senate Office Building Washington, D.C.

DEAR SENATOR MCGEE: I understand that an amendment to H.R. 8617 that would exclude employees of the Internal Revenue